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In March, 1905, I was present at the Classical Conference at Ann Arbor. The portion of the programme which made the deepest and most lasting impression upon me was not one of the distinctively classical papers, but an informal talk, illustrated by lantern slides, by Professor C. H. Van Tyne, of the University of Michigan, on the Effect of Physiographic Features upon the Movement of Population. A synopsis of the talk runs as follows:

Though discussing the question in its application to American history, he hoped that the matter might be suggestive to students of the Classics. The method might be used to show why Greek commerce took the lines that it did, why Roman conquests moved in the directions and followed the order of succession that they did. . . .

The population of America as it flowed westward from the Atlantic followed the arteries made ages before by geologic forces. The flood which at first merely trickled through the mountain passes and along the fertile river beds gradually made broader channels. The slender paths of the migrating bison and of aboriginal intercourse were deepened by the tread of the fur trader, broadened by the westward moving pioneer, and at last became government highways, and our great modern railroad lines. One physical attraction after another drew men from the coast, through the mountains, over the plains and the great western plateau to the Pacific slope, and the sea again. The exploitation of fur animals drew the trader west, the rich grass lands tempted the ranchman west, virgin soils of the prairie and river valleys drew the farmers west and at last the coal and iron fields brought the manufacturer deep into the heart of the continent. Even the part of America where the first manufacturers took their rise had been determined ages ago by the old Continental glacier, which as it melted and retired toward the north left successive terminal moraines that caused rapids to be formed in the rivers of the northern Atlantic coast, which furnished the early water-power. Again, the lakes formed by the retreating glacier modified the climate of the north and helped to diversify the industries which made the European immigrant find stronger temptations to settle in the north than in the south.

The first settlements upon the Atlantic seaboard were made along the rivers flowing into the sea. All these were drowned rivers—the ocean tide being felt as far as Albany, Trenton, and Richmond—and the colonies planted on their banks had direct communication with the sea. The territory thus favored was closely populated before men began to settle in the back lands above the first falls of the river which made direct intercourse with the sea impossible. Then the Appalachian barrier—a broad series of parallel ranges extending from New England to Northern Georgia—

blocked the way for a time. The only natural openings westward were the Mohawk valley, blocked by the Iroquois Indians, and the plains between the south end of the mountain system and the Gulf of Mexico, barred by the Creeks and Cherokees. At last this barrier was penetrated at Cumberland Gap, and further southward, and the finding of salt springs and fertile limestone soil in Kentucky and Tennessee tempted the early pioneers. Then to follow the alluvial valley of the Ohio and the Mississippi and to the branch off up the Missouri, the Arkansas and the Red was merely to go to the point of least resistance.

At the Convocation on May 29 last, which formed part of the celebration of the fiftieth anniversary of the foundation of the School of Mines, Columbia University, I had the good fortune to hear an address on The Mining Engineer as a Pioneer, by Mr. T. A. Rickard, of the Royal School of Mines, London, a part of the Imperial College of Science and Technology. This address is printed in full in the School of Mines Quarterly, for July, 1914. The lure of gold, in particular, according to Mr. Rickard, drew the miner on, and the miner in turn contributed largely to the advance of civilization. Here is another fruitful field for interesting study in connection with the Classics. One may think of the Phoenicians (or some other early people) visiting Britain for tin, and of the part the mines of Spain played in Carthaginian and so in Roman history.

I may be pardoned for further comment on Mr. Rickard's paper. The fine English of the address, reinforced as it was by Mr. Rickard's admirable delivery, made me certain that Mr. Rickard had enjoyed and profited by a rigorous training in Classics. Later, when I met him, I found that this was indeed the case, and that Mr. Rickard is an ardent champion of the Classics—that he still reads and enjoys them, and that in his capacity as an editor of a technical journal he had learned, from bitter experience, that only those contributors who have had a good classical training can write at all well. See further THE CLASSICAL WEEKLY 6.25-26.

Of all this I thought as I read the papers of Professor Keith and Professor Kent in THE CLASSICAL WEEKLY 8.42-43, 69-70, and the editorial of Professor Ullman (8.73-74), even more when I read in the New York Tribune on October 18 last a report of an interview with Dr. Douglass W. Johnson, Professor of Physiography at Columbia University. Professor Johnson

has repeatedly visited the district in which the Germans have been fighting the Belgians, the French and the English, studying the physical features of the country; he has carefully examined also the Paris Basin and the plateau of Western Germany. In Schermerhorn Hall of Columbia University are maps showing the physical features of the war district, on which Professor Johnson has, by the use of colored pins, been indicating from day to day the position of the contending armies.

According to the report of the interview in the Tribune, Professor Johnson began by remarking that topography is determined by geologic structure, and that, therefore, events in the geologic history of Western Europe are directly responsible for the course of the European War.

The present theatre of war consists of a series of complexly folded crystalline rocks of mountainous character. These rocks were once reduced by long erosion to a vast plain on a level with the sea. The plain was flooded and submerged, the surface of the rocks meanwhile having become bevelled. Layers of chalk, limestone and sandstone were deposited by the action of the water, and later the surface was raised above the ocean and subjected again to the eroding action of wind and weather. The plain, however, was raised or warped from the sea unevenly; its borders became higher than its centre; a great basin or saucer was formed, and this basin, whose rim runs across the Channel into the British Isles, was again worn down until in many places the softer chalks and limestone were washed away, to expose the original crystalline rocks. Thus cliffs or escarpments were formed facing away from Paris toward the north and east. Hence has come the name of the Paris Basin. Around its margin great patches of the original crystalline rocks rise above the softer stones. The slope leading from Paris rises gently and then drops from fifty to several hundred feet. It begins once more at the foot of the cliff and rises again until it drops in the second escarpment. The process is repeated, and the whole area of the basin presents a surface of gentle western slopes and dropping eastern declivities.

Most of the maps that have been printed in the papers and magazines give little idea of these conditions. Hills are indicated by sharp peaks, while the continuous slopes and long cliff lines are nowhere indicated. The features of this basin, the circular or crescent cliffs east and northeast of Paris, facing the German attack, the strong contrast presented between the eastern and western slopes of the Vosges, the plateau of Western Germany and the Ardennes, gashed by the valleys of the Rhine, Moselle, and Meuse, and the comparatively level plains of Central and North-western Belgium have determined the course of the present campaign. . . .

In the region of the Vosges and the Black Forest we find what was once the eastern rim of the Paris Basin. It formed a broad arch in Southwestern Germany. The utmost height of this arch is now the Valley of the Rhine. The Rhine Valley itself was formed by a dropping of a section of the arch in the exact spot where by all rules it should be highest. At one side of the valley are the Vosges Mountains, rising in a gradual slope from France until they take a sheer drop into the Valley of the Rhine. On the other side is the Black Forest and the broad upland to the north, also presenting its steep side to the Rhine Valley.

C. K.

(To be concluded)

THE PROSECUTION OF SEXTUS ROSCIUS

A Case of Parricide, with a Plea of Ailbi and Non-motive

The speech of Cicero in behalf of Sextus Roscius of Ameria is the first, or perhaps the second, speech of Cicero preserved. It has always been regarded as a most interesting speech, both on account of its great literary merit, and because it presents a terrible picture of the uncertainty of life and property during those horrible years of Sulla's supremacy. Anthony Trollope, who gives a brilliant account of the circumstances, introduced his narrative thus:

I will venture, as other biographers have done before, to tell the story of Sextus Roscius of Ameria at some length, because it is in itself a tale of powerful romance, mysterious, grim, betraying guilt of the deepest dye, misery most profound, and audacity unparalleled; because, in a word, it is as interesting as any novel that modern fiction has produced; and also, I will tell it, because it lets in a flood of light upon the condition of Rome at the time. Our hair is made to stand on end when we remember that men had to pick their steps in such a state as this, and to live if it were possible, and, if not, then to be ready to die!

The case of Roscius is equally interesting when considered legally. It is the first criminal case in which Cicero was engaged¹. The phrase *causa publica*, which he uses to describe the action, is equivalent to *iudicium publicum*, the words with which he describes the case of Archias. This means that the case was tried in a court established by vote of the populus, that is to say, in a *quaestio perpetua*. The implication in his phraseology is that he has already participated in civil suits. Possibly, as many think, the civil case of P. Quinctius was earlier; in the speech delivered on that occasion Cicero says that he had been engaged in other suits before that of Quinctius². Cicero had decided, even prior to his entrance into the criminal courts, to devote himself to the side of defense rather than to that of prosecution³. He arrived at this decision, partly because he did not wish to attain distinction at the expense of others' misfortunes, partly because he regarded success at the bar, when won in pleading on the side of the defense, as more meritorious than that won by pleading for the prosecution. His words *sua virtute* are particularly well chosen, for we shall see that criminal procedure at Rome made the path of the prosecutor infinitely easier than it made that of the defender.

The speech of Cicero in behalf of Archias is the only other oration commonly read in which the case was tried in an ordinary *quaestio perpetua*, and in that instance the argument of the prosecution was so flimsy

¹Life of Cicero 1.81. ²39 (these and similar references below are to the small sections of the speech Pro Roscio Amerino): quod antea causam publicam nullam dixerim. Compare Orator 90 Itaque prima causa publica, pro Sex. Roscio dicta. ³Pro Quinctio 4 Ita, quod mihi consuevit in ceteris causis esse adiumento, id quoque in hac causa deficit. ⁴83: Nam si mihi liberet accusare, accusarem alios potius, ex quibus possem crescere; quod certum est non facere, dum utrumvis licebit. Is enim mihi videtur altissimus, qui sua virtute in alteriorem locum pervenit, non qui ascendit per alterius incommodum et calamitatem.

that the defense labored under no handicap. And, owing to the slightness of the whole legal point at issue in the case of Archias, it is not easy to follow the course of criminal proceedings. But in the case of Roscius we can see the workings of the machinery by which the activity of the courts of law was set in motion, we can trace clearly at least a part of the history of a criminal suit, and we can realize to the full that Cicero won a brilliant victory in the face of enormous obstacles.

The oration is also interesting as a legal document, because it deals at great length with the doctrine of malice, and with that of motive for committing crime as a means of establishing guilt or innocence. These two pleas are urged strongly in the case of Milo⁸, and it is interesting to compare the arguments of Cicero at an interval of thirty years. Nowhere else in classical Latin are these two legal doctrines treated with such fullness or clarity.

A certain Sextus Roscius was one of the wealthiest and most influential citizens of the township of Ameria⁹. He possessed thirteen farms, near or bordering upon the Tiber⁷, and many slaves. He had two sons, one of whom, now dead, had been constantly with his father, while the other was occupied in taking care of the farms⁸. Two men, Titus Roscius Magnus and Titus Roscius Capito, who also lived in Ameria, were enemies of Sex. Roscius for a long time⁹. The older of these, Titus Roscius Magnus, is said to be a kinsman of Sex. Roscius¹⁰, but whether there was any relationship between the two men bearing the name Titus Roscius is not stated. But Magnus was a veteran in crime and persecution, while the younger man, Capito, was now learning the ways of wickedness from him, and seemed likely to surpass his master¹¹. Capito seems to have spent much of his time in Ameria, but Magnus was frequently absent, and was now giving his services to Chrysogonus, the freedman and agent of Sulla, in carrying on the base work of selling the property of those whose names appeared on the proscription lists¹².

Such was the situation in Ameria. But Sex. Roscius was in the habit of visiting Rome frequently¹³, for he was an intimate friend of the Metelli, the Servillii, and the Scipios¹⁴. One evening, in the month of September of the year 81, while he was returning from supper, he was murdered on the street near certain Baths¹⁵. Although this took place as late as the first hour of the night, the news of the murder was brought to Ameria by the following daybreak, but the announce-

ment was not made to the son of Sex. Roscius, but to T. Roscius Capito. The message was brought by one Mallius Glaucia, a freedman and client of Magnus, who covered the 56 miles during the night in a light gig, in order that the news might be brought to Capito with all speed¹⁶. Four days later a messenger brought the news of the murder to Chrysogonus in the camp of Sulla at Volaterrae in the northwestern part of Etruria¹⁷.

The next undoubted fact is that the name of Sex. Roscius is entered on the list of those proscribed, and his property is ordered to be sold¹⁸. It had been determined by enactment of Sulla that the lists of proscriptions and sales of property should close on the preceding first of June¹⁹. Now, the name of Roscius was not on the list²⁰. Again, the sale of his property was illegal, for the property of those only could be sold whose names were on the proscription lists, or who had been killed while in the garrisons of Sulla's enemies²¹. These things happened, furthermore, at a time when all mention of a proscription was past, and those who had been afraid of it were returning to their homes fearlessly²².

How, then, could this lawless thing have happened? Cicero takes care, repeatedly, to exonerate Sulla from all responsibility, and even knowledge of the matter²³. He distinctly accuses T. Roscius Magnus²⁴ of having in the first place sent the news to Chrysogonus. Information is given to Chrysogonus that Roscius had been killed without difficulty; that he was possessed of much fine property; that his surviving son, imprudent, unpolished, unknown at Rome, might easily be removed. Thus they form the conspiracy to sell the property of Roscius, and defraud his son²⁵. This property, including many slaves and 13 farms, valued at 6,000,000 sesterces, was sold for a total of 2000, and the purchaser was Chrysogonus²⁶. Three of the farms were given immediately to Capito, while Chrysogonus and Magnus seem to have held all the other property jointly. The surviving son of Sex. Roscius, also named Sex. Roscius, is ousted from his estate, deprived of all his slaves, and reduced to extreme poverty²⁷.

But the town of Ameria was shocked at the murder

¹⁹19: Occiso Sex. Roscio primus Ameriam nuntiat Mallius Glaucia quidam, homo tenuis, libertinus, cliens et familiaris istius T. Rosci, et nuntiat domum non fili, sed T. Capitonis igimici; et cum post horam primam noctis occisus esset, primo diluculo nuntius hic Ameriam venit; decem horis nocturnis sex et quinquaginta milia passuum cisis pervolavit. ¹²⁰120.

²¹21. It is curious that both in this passage and in the parallel passage (130) where the proscription of Roscius is mentioned the text is corrupt. But the restorations commonly adopted are no doubt substantially correct, for they are corroborated by other frequent references to the proscriptions.

²²22: Opinor enim esse in lege quam ad diem proscriptiones venditionesque fiunt, nimirum Kalendas Iulias. ¹²⁶126.

¹²⁶126: Scriptum enim ita dicunt esse: ut eorum bona veneant, qui proscripti sunt. ²²¹221. ²²¹221; 25; 110; 127.

¹⁰³103: Quaeritur etiam nunc, quis eum nuntium miserit? nonne periculum est eundem, qui Ameriam? ²⁰20. ²¹21; 6.

²³23: Interea iste T. Roscius, vir optimus, procurator Chrysogoni, Ameriam venit, in praedia huius invadit, hunc miserum, luctu perditum, qui nondum etiam omnia paterno funeri iusta solvisset, nudum eicit domo atque focus patrii disque penatibus praecipitem, iudices, exturbat, ipse amplissimae pecuniae fit dominus.

¹I hope to present a discussion of this case in an early issue of THE CLASSICAL WEEKLY.

¹⁵15: Sex. Roscius, pater huiusce, municeps Amerinus fuit cum genere et nobilitate et pecunia non modo sui municipi, verum etiam eius vicinitatis facile primus, tum gratia atque hospitii florens hominum nobilissimorum. ¹²⁰120.

¹⁴²142: fuisse odium intellego, quia antea, cum duos filios haberet, illum alterum, qui mortuus est, secum omni tempore volebat esse, hunc in praedia rustica relegarat. ¹⁷17. ⁸⁷87.

¹¹⁷117: alter plurimarum palmarum vetus ac nobilis gladiator habetur, hic autem nuper se ad eum lanistam contulit, quique ante hanc pugnam tiro esset, quod sciam, facile ipsum magistrum scelere audacique superavit. Compare 100. ¹⁰⁶Compare 106.

¹¹⁸118: cum . . . ipse autem frequens Romae esset. ¹¹⁵115.

¹¹⁸118: occiditur ad balneas Pallacinas rediens a cena Sex. Roscius.

of its most eminent citizen, at the reduction of his son to dire distress, and at the sale of the property for such a ridiculously small sum, and at the conduct and cruelty of the new possessor. And so the *decuriones* at once proposed that ten citizens be sent to lay all the facts before Sulla. Strange to say, T. Roscius Capito was one of the ten men chosen. Chrysogonus met the men, had them persuaded not to seek an audience with Sulla, and promised that he would see justice done in behalf of both father and son. Capito guaranteed that Chrysogonus would carry out his promises, and the envoys returned to Ameria²⁴. But the younger Roscius was wiser than the envoys, for he knew that he could not expect restoration of his property from those who had so recently deprived him of it illegally. Consequently, he fled from Ameria to Rome, and took refuge with Caecilia, who supplied his needs, and so protected him, says Cicero, that he was now among the living, although accused of a crime, rather than dead as the result of being proscribed²⁵. Probably this is merely one of Cicero's rhetorical climaxes, rather than an accurate statement of fact.

Those who were in possession of the property had now little to fear, provided the town of Ameria took no further steps, and provided Sex. Roscius remained quiet. But Sex. Roscius did not remain quiet. Instead, he let it be known in the city that he considered that both he and his father had been outrageously treated. These remarks came to the ears of Sulla, who was very indignant that his actions were questioned. Sulla probably assumed, without looking into the matter sufficiently, that the father had been proscribed under normal circumstances. None of this do we learn from Cicero, for he no doubt feared, as a young and unimportant man, to run the risk of incurring the anger of Sulla. This is why he so scrupulously acquits Sulla of all blame. But Plutarch tells the story in this way, and adds that the next move was directly inspired by Sulla²⁶.

The next move was the bringing of an accusation of parricide against the younger Roscius. Cicero, careful to shield Sulla, places the whole responsibility for this move upon Chrysogonus²⁷. Plutarch says that Sulla appointed Chrysogonus as the manager of the case. The case consisted in the effort to prove that Sex. Roscius was guilty of the murder of his father.

"The first stage in the procedure was, as in a civil action, a request to the magistrate, the praetor or the *index quaestionis*, for permission to bring the charge (*postulatio*)"²⁸. The state never took the initiative either in civil or in criminal cases, however serious,

but left the prosecution to the person most affected by the wrongdoing. We must suppose that ordinarily the prosecution was undertaken by the sufferer in person, but he might be assisted in preparing and presenting his case by helpers, called *subscriptores*. For instance, in the prosecution of Milo for the murder of Clodius the nominal accusers were two nephews of Clodius, but the case was largely conducted by more experienced and more influential *subscriptores*. But sometimes, again, the prosecution was undertaken by one who was in no wise connected with the wrong. The wrong might be merely general, and affecting no citizen more than another. Such a situation occurred in the case of Archias, who, by taking the rights of Roman citizenship, injured no particular person. Information against Archias was given by Grattius, who hoped merely to derive some personal benefit from a successful prosecution. When Sex. Roscius was accused of the murder of his father, there seems to have been no near relative to press the charge. The two Roscii, both with the praenomen Titus, are the only relatives mentioned.

It would be natural therefore, that the two Roscii should make the *postulatio*, provided there were justice in their claim. But they were the very persons who had profited most by the death of the elder Roscius, and it would be not only bad taste, but also an impolitic thing for them to appear thus openly. Consequently, as Cicero says, their first endeavor was to secure an experienced accuser, who would conduct the case skilfully²⁹, and allow them to avoid appearing too prominently. Therefore they chose Erucius to make the *postulatio* and the chief argument for the prosecution. It is he who makes the speech to which Cicero replies in the speech we have. Erucius is mentioned by name nearly thirty times by Cicero in his speech, but it is quite evident that Cicero does not regard him as a serious factor in the case, but merely as the mouthpiece of the Roscii and Chrysogonus, who are the real prosecutors. Indeed, Cicero goes so far as to say that everybody knows that Erucius has no enmity against Sex. Roscius, but is paid to act as prosecutor³⁰. This is a bold thing for Cicero to say thus publicly, inasmuch as the law distinctly prohibited an advocate from accepting retaining fees for his services³¹. Of course neither Cicero nor any other lawyer was likely to refuse presents for such services³². The law had become a dead letter. Chry-

²⁸28: consilium ceperunt plenum sceleris et audaciae, ut nomen huius de parricidio deferrent, ut ad eam rem aliquem accusatorem veterem compararent, qui de ea re posset dicere aliquid, in qua re nulla subesset suspicio, denique ut, quoniam crimine non poterant, tempore ipso pugnarent.

²⁹29: Nemo nostrum est, Eruci, quin sciat tibi inimicitias cum Sex. Roscio nullas esse; vident omnes, quae de causa huius inimicus venias; sciunt huiusmodi pecunia te adductum esse.

³⁰30: By the Lex Cincia de Muneribus, B.C. 204. Compare Tacitus, Annales 11.5 Qua cavetur antiquitus, ne quis, ob causam orandam, pecuniam donumve accipiat.

³¹31: There is no direct evidence whatever that Cicero did actually accept fees or presents, and he himself denies it. Plutarch tells the story that Cicero taunted Hortensius with having received an ivory sphinx as a reward for appearing in behalf of Verres. For Cicero's income see Trollope 1.100 ff.

²⁴24-26.
²⁵25: Eius virtute, fide, diligentia factum est, ut hic potius vivus in reos quam occisus in proscriptos referretur.

²⁶26: Plutarch Cicero 4.
²⁷27: Verum ut haec missa faciam, quae iam facta sunt, ex iis, quae nunc cum maxime fiunt, nonne quis potest intelligere omnium architectum et machinatorum unum esse Chrysogonum? Compare 6.

²⁸28: Greenidge, The Legal Procedure of Cicero's Time, 459. Compare Digest 3.1.1-2: postulare est desiderium suum vel amici sui in iure apud eum, qui iuris dictioni praest, exponere vel alterius desiderio contradicere.

sogonus did not appear personally in the Roscius suit, but lent the great weight of his influence³⁷. T. Roscius Magnus was one of the *subscriptores*³⁸.

The next step in the suit against Roscius was that

After the *postulatio*. . . , but at some interval, came a more definite information as to the charge (*nominis* or *criminis delatio*). This was made before the president alone, its object being the specification of the personality of the accused and the offense alleged against him³⁹. If the accused man appeared at the *nominis delatio*, a series of questions was put to him by the prosecutor (*interrogatio*) for the purpose of making out a *prima facie* case to the satisfaction of the president⁴⁰. If the interrogation satisfied the president of the need of going further with the case, he drew up an inscription with a statement of the charge⁴¹.

The charge was signed by the prosecutor and the *subscriptores*. The *inscriptio* in the case of Roscius would be somewhat as follows: L. Cornelia Sulla II Caec. Metello Pio coss. a. d. XIV Kal. Feb. apud M. Fannium praetorem C. Erucius professus est se Sex. Roscium lege Cornelia de sicariis et veneficiis reum deferre, quod dicat eum Romae, ad balneas Pallacinas, mense Septembri, M. Tullio Decula Cn. Cornelio Dolabella coss., Sex. Roscium patrem suum occidisse⁴².

After the *inscriptio* had been drawn up, the charge was formally admitted by the president (*nominis receptio*), and the person accused now becomes technically *reus*. The president then fixed a day for the appearance of the accused before the full court. It was generally the tenth day from the *nominis receptio*, and a shorter interval than this was reckoned illegal⁴³.

During this interval the *reus* remained free, and was allowed, or even encouraged, to forfeit his case by going into exile. The court, under the presidency of M. Fannius, before which Roscius was tried was called the *quaestio de sicariis et veneficiis*, or, as Cicero calls it, *inter sicarios*⁴⁴. This court sat in cases of murder of whatever kind. But the crime of parricide was punished more severely than any other forms of murder. Sulla had enacted a law whereby murder was punished by outlawry, but the older penalty had been retained for parricide. Cicero speaks of the penalty for parricide thus:

For as they (our ancestors) understood that there was nothing so holy that audacity did not sometimes violate it, they devised a singular punishment for parricides in order that they whom nature herself had not been able to retain in their duty might be kept from crime by the enormity of the punishment. They ordered them to be sewn alive in a sack, and in that condition to be thrown into the river⁴⁵.

³⁷35: Criminis confictionem accusator Erucius suscepit, audaciae partes Roscii sibi poposcerunt. Chrysogonus autem, is qui plurimum potest, potentia pugnat.

³⁸17: quorum alterum sedere in accusatorum subselliis video.

³⁹Greenidge, Legal Procedure, 460. ⁴⁰Ibidem, 463.

⁴¹Ibidem, 465.

⁴²For the sake of completeness a fictitious date is assigned to the inscription. The whole is based on a type given by Paulus in the Digest (48.2.3): Libellorum inscriptionis conceptio talis est: Consul et dies. Apud illum praetorem vel proconsulem Lucius Titius professus est se Maevium lege Iulia de adulteriis reum deferre, quod dicat eum cum Gaio Sejo in civitate illa, domo illius, mense illo, consulis illis adulterium commisisse.

⁴³Greenidge, Legal Procedure, 466. ⁴⁴11. ⁴⁵70.30; Ad Herennium 1.13.23.

Other horrible features of this death are left untold by Cicero⁴⁶. It is to be noted that *parricidium* included not only the murder of a father, but that of any near relative⁴⁷.

Cicero declares that the prosecutor made the following assertion, directing his remark to Roscius: 'The time was such that men were being constantly put to death with impunity, so that you on account of the large number of assassins could accomplish this without difficulty'⁴⁸. Thus we learn that murder was extremely common in Rome, but more surprising is it to learn that murder could be committed *nullo negotio*. The meaning of this becomes apparent from the direct address Cicero makes to Fannius, the presiding praetor: Longo intervallo iudicium inter sicarios hoc primum committitur, cum interea caedes indignissimae maximaeque factae sunt⁴⁹. Although murders were shockingly frequent, prosecutions were very rare. This situation is alluded to again: Ita loqui homines: quod iudicia tam diu facta non essent, condemnari eum oportere, qui primus in iudicium adductus esset⁵⁰. One would judge that *longo intervallo* implies that this is the first case arising in the Court of Fannius during the year. Cicero states a parallel case of parricide 'not many years ago'⁵¹.

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(To be concluded)

REVIEW

The Municipalities of The Roman Empire. By J. S. Reid. Cambridge: at the University Press (1913). Pp. xv + 548. \$4.00.

Professor Reid's book is an attempt to prove the thesis that the Roman empire was a "vast federation of commonwealths, retaining many of the characteristics of the old so-called city-state". It is the outgrowth of a series of lectures given at the University of London and later at Columbia University in the interests of "higher teaching" of students. Its aim, then, is not only to present facts, but to teach method as well. In Professor Reid's opinion, the organization of the Roman Empire has been misunderstood entirely by the usual student of Roman history; he thinks that, due to our modern conception of the formation of national governments, we have been led to believe that the province was the unit of organization, whereas the municipalities were the real unit. And Rome, instead of running a steam-roller over all political life, considered herself, not as the mistress of an empire, but as the first and leading city of this vast federation. In order to prove these two points the history of Rome's expansion from its earliest period is traced, in so far as it bears on the life of the municipia.

The author first makes clear his idea of a municipium, or rather of the two types of municipia, the Roman and the Hellenic, which developed in the two sections of the Mediterranean world. The development of the

⁴⁶Mommsen, Strafrecht, 922. ⁴⁷Digest 48.9.1. ⁴⁸80. ⁴⁹11. ⁵⁰28. ⁵¹64-65.

Roman municipium receives the larger share of attention because the Greek was already formed, and Rome merely assumed authority over it. The early chapters of the book (II-VI) are taken up with an account of Roman relations with Italy. The author finds that the treatment of Italian towns was lenient and fair, as a general rule, down to the period of the Hannibalic War. From that time there were frequent changes of policy, in which Rome lost some of her fairness and became less liberal, and as a result had to face growing dissatisfaction from allies. The *civitas sine suffragio* before the war with Hannibal had not been considered a mark of inferiority; but, by the time of the Gracchi and increasingly so until the Social War, this was the chief point in the complaints of the Italians. The author also points out very clearly the change in the purpose of founding coloniae. In early times colonies had been military necessities; from the time of C. Gracchus, at least, they became trade centers, and Roman colonies cease to be sent out. In tracing this early history of Rome's expansion Professor Reid corrects at least two common opinions. The usual assumption that Rome confiscated a large part of the territory of a conquered city is shown not to be true. It has also been believed that Rome adopted an imperialistic policy quite early, at least as early as the first Punic War, but to Professor Reid Rome was always an opportunist in politics. The point is interesting because an American scholar in a study of Roman imperialism has come to practically the same conclusion (I have in mind Professor Tenny Frank's book, *Roman Imperialism*).

These first chapters, while giving a rapid review of Rome's relations with Italy, are satisfactory and clear. There are many gaps in the evidence and the author has had to fill these by conjecture, but the inferences seem safe for the most part. There are some disputed points, like that of the origin of the *Lex Iulia Municipalis*, where opinions are bound to differ. In the discussion of the *Lex Iulia Municipalis* some may not find Professor Reid's arguments as convincing as those of Mr. Hardy in his book, *Six Roman Laws*, but the difficulties in the way of accepting the law as a work of Caesar are pointed out.

After considering the towns of Italy, the author takes up those of the rest of the Roman world in a rapid survey, in the following order: Gaul and the Alps, Germany and the region of the Danube, Britain and Spain, Africa, the Hellenized lands, European Greece. This Baedeker of the municipia is brief, and sometimes almost bewildering. In the same paragraph one frequently finds several towns mentioned, each with some comment; the result is not always a clear picture of the district covered. There is practically no unity in this part of the book, because the nature of the subject forbids it; what little connection there is is shown in the classification adopted by Professor Reid. One great fact stands out in this survey, that there is a very decided difference in the

organization and the spirit of the East and the West. The Greek states of the East had developed their own system so strongly that Rome did not try to change it very materially. One of the institutions which had developed there was the league or *Koinon*; this Rome found in many cases too firmly established to overthrow. Here, then, we find one of the weaknesses in the author's theory of a great federation presided over by Rome. In some cases Rome developed the idea of separate city-states; in others she made use of the league or the province. The organization of Gaul, Galatia, and the modified Greek leagues all show that; one of the great reasons for Pompey's success in the East was his recognition of this principle. Of the towns of Africa a more detailed account is given, because in Africa, Professor Reid thinks, the working of the Roman system can best be studied, especially the influence of army-camps. Professor Haverfield, on the contrary, thinks that in Britain we have the most complete idea of Roman town life; the truth probably lies somewhere between the two views. One of the striking points brought out in the chapter on European Greece (XII) is that there was no such decay and desolation in Greek towns as writers like Strabo and Sulpicius describe. One would welcome more information on this point.

The three concluding chapters deal with the internal administration of the municipium, the reasons for the decay of the municipia, and social aspects of these towns. They are the most interesting in the book because they have unity, and so can be presented in an attractive form. The logical arrangement would seem to place them before the survey of towns, because there are many points which could be cleared up by such an arrangement. As it is the reader must refer to these chapters very often.

The most serious defect of the book is its total lack of references, footnotes, and maps. It is intended to be a rapid survey of the municipalities in order to "impress on some readers who would not otherwise obtain the impression, that the municipal bricks . . . are not the least important among those out of which the real edifice of Roman Imperial history has to be constructed". The importance of these bricks is shown without a doubt; if anything, it is over-emphasized; but the reader would like to know more about some of the bricks. In its present form, then, the work is open to two possible criticisms: as a book for popular reading, it covers so large a field, and treats of so many unrelated subjects that it is hard to follow, even for those deeply interested in the subject: as a book of reference the treatment of many towns is hardly adequate.

The book gives evidence of an enormous amount of investigation. Even passing references are packed with learning, showing a wide knowledge of Roman politics and life. Unfortunately the style does not add to the ease of reading.

BRYN MAWR COLLEGE.

J. F. FERGUSON.

THE CLASSICAL CLUB OF BALTIMORE

The Classical Club of Baltimore held its initial meeting for the year 1914-1915 in November last, at the house of Professor D. M. Robinson, President of the Club. About sixty members were present. The speaker of the evening, Professor Walton Brooks McDaniel, of the University of Pennsylvania, had for his subject *Empousae*, a theme which, spooky and ghostly though it is in suggestion, was by no means of that character in fact. The address was frequently interrupted by laughter and applause.

M. E. HUDGINS, *Secretary*.

THE CLASSICAL ASSOCIATION OF PITTSBURGH AND VICINITY

A meeting of The Classical Association of Pittsburgh and vicinity was held on November 27-28, as announced in *THE CLASSICAL WEEKLY* 8.55. The papers were very interesting and there was considerable discussion. Following the suggestion of Mr. Adams in his paper on Seventh and Eighth Grade Latin, a committee was appointed to collect all available data and to arrange for experiments in this community. The committee hopes to do constructive work of importance and to publish its conclusions. Suggestions pertaining to the subject will be welcomed by the chairman of the committee, Professor B. L. Ullman, of the University of Pittsburgh.

The second meeting was held on December 19 at the University of Pittsburgh. Mr. H. M. Ferren, Instructor in German at the Allegheny High School, Pittsburgh, read a witty and weighty paper on *The Importance of Latin as a Basis for the Study of German in American Schools*. His chief point was that the study of Latin Grammar is necessary to prepare for the study of German, since English can not give this preparation. The paper will be published. Professor E. T. Sage, of the University of Pittsburgh, read a paper on *Printers and Publishers in Ancient Rome*, from which it was apparent that there was more and more interesting material on the subject than one would guess. Principal W. L. Smith, of Allegheny High School, spoke encouragingly on *High School Latin from the Administrative Standpoint*.

B. L. ULLMAN.

CLASSICAL ARTICLES IN NON-CLASSICAL PERIODICALS

- Athenaeum*—Sept. 26, (Warde Fowler, *Roman Ideas of Deity*; Edmonds, *Greek History for Schools*; Mattingly, *Outlines of Ancient History*); Robert Yelverton Tyrrell.—Oct. 3, (Hoskier, *Codex B and its Allies: a Study and an Indictment*).
- Archiv für Religionswissenschaft*—July, Aphrodite in Ephesos, K. Latte; Zur Entstehung der Seelenwanderungslehre des Pythagoras, D. Fimmen.
- Bibliotheca Sacra*—Oct., S. Holmes, *Joshua: The Greek and Hebrew Texts* (H. M. Wiener); (A. T. Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research*).

- Colonnade*—Sept., *Carmen Nautarum Incerti Auctoris*, Morris Bishop (translation of No. 62 in Mackail's 100 Best Poems in the Latin Language).—Oct., *Nemea* (a poem), M. Bishop.
- Dial*—Nov. 16, (Kate Stevens, *The Greek Spirit*).
- Drama*—The *Pretty Sabine Women* (a play, translated from the Russian), L. Andreyev.
- Educational Review*—Nov., (G. Ferrero, *Ancient Rome and Modern America*; H. H. Hardy, *Shorter Aeneid*; Kate Stevens, *The Greek Spirit*).
- English Historical Review*—April, *The Parliament of the Achaean League*, M. O. B. Caspari; (Besnier, *Lexique de géographie ancienne*; Haverfield, *Ancient Town-Planning*; Magoffin, *The Quinquennales*; Bevan, *Stoics and Sceptics*).—July, *The Policy of Livius Drusus The Younger*, P. A. Seymour; (Cavaignac, *Histoire de l'antiquité*, ii, Athens, H. J. Cunningham; Ady, *Pius II*; Cotterill, *Ancient Greece*; Kern, *Inscriptiones Graecae*).
- English Review*—Nov., (G. Ferrero, *Ancient Rome and Modern America*).
- Harvard Theological Review*—July, Friedländer, *Roman Life and Manners under the Early Empire*, Vol. 4 (T. R. Glover); Blass, *Grammatik des neutestamentlichen Griechisch*, 4te Auflage, von A. Debrunner (H. J. Cadbury).—Oct., Clark, *Primitive Text of the Gospels and Acts* (J. H. Ropes).
- International Journal of Ethics*—July, Adam, *Plato: Moral and Political Ideals* (H. D. Oakeley).
- Journal of the New York State Teachers' Association*—June, The *Agora*, Caroline Whipple.
- Literary Digest*—Nov. 7, (Tenney Frank, *Roman Imperialism*).
- Logos*—Band V. Heft 1, (H. Maier, *Sokrates; Sein Werk und seine geschichtliche Stellung*).
- Mind*—Apr., A. Mansion, *Aristote, Traductions et Études* (A. E. Taylor); F. Brentano, *Aristoteles Lehre vom Ursprung des Menschlichen Geistes* (W. D. Ross); J. C. Wilson, *Aristotelian Studies* (A. E. Taylor); July, *Aristotle and Abstract Truth*, G. R. T. Ross.
- Modern Language Notes*—June, *Latin Influences on Mediaeval French Romances*, P. M. Warren (a review of Paral, *Les sources latines des contes et romans courtois du moyen âge*); Myers, *Latin and English during the Age of Milton* (R. T. Kerlin); *Fortune's Wheel and Boethius*, H. R. Patch.—Nov., *Further Notes on Classic Literary Tradition*, M. B. Ogile.
- Modern Language Review*—Oct., *A Tragedy of Dido and Aeneas, acted in 1607*, T. S. Graves.
- The Nation* (New York)—Oct. 15, *The Golden Bough: Another Instalment* (a review of Frazer, *Balder the Beautiful*).—Oct. 22, Kultur, E. K. Rand (a citation from Tacitus, *Hist.* 4.73).—Oct. 29, *A Shavian Cleopatra* (a review of Brome Weigall, *The Life and Times of Cleopatra Queen of Egypt*).—Nov. 5, *The Development of Writing* (a review of Loew, *The Beneventan Script: A History of the South Italian Minuscule*).—Nov. 12, (Havell, *Republican Rome*).
- Outlook*—Oct. 21, (A. T. Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research*).
- Philosophical Review*—May, R. Hackforth, *The Authorship of the Platonic Epistles* (A. E. Taylor); July, P. H. Wicksteed, *Dante and Aquinas* (L. Cooper); J. G. Fraser, *The Belief in Immortality and the Worship of the Dead*, Vol. 1 (I. King).
- Records of the Past*—Apr., C. H. Weller, *Athens and its Monuments* (F. B. Wright); *Archaeological Notes: Death of Professor Vaglieri* (director of the Ostia excavations), Mithra and the Baths of Caracalla, Discoveries in Crete, Historical Personality in Archaeological Interest.
- School Review*—Oct., *First-Year Latin and First-Year German*, Charles Holzwarth; reviews of Jenks, *A Manual of Latin Word Formation for Secondary Schools*, Thompson, *A First Year Latin Book*, Sleeman, *Caesar in Britain and Belgium*, Nutting, *A First Latin Reader*, by H. F. Scott.—Nov., *Vocational Training in Antiquity*, W. L. Westermann.
- South Atlantic Quarterly*—Oct., A. T. Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research* (C. W. Peppier).
- Spectator*—Oct. 3, *Some Classical Books* (review of the Year's Work in Classical Studies, 1913, *Journal of Roman Studies*, vol. 3, pt. 2, Cornford, *Origin of Attic Comedy*, Smyth, *Composition of the Iliad*, Macaulay and Brebner, *The Vulgate Psalter*, Gollancz, *Boccaccio's Olympica*, Courthouse, *Selections from the Epigrams of Martial*, and Murray, *Euripides and his Age*).
- Times* (London) Weekly Edition, *Literary Supplement*—Sept. 25, *Compressed History* (review of Mattingly, *Outlines of Ancient History*).—Oct. 9, (Haverfield, *Ancient Town-Planning*).—Oct. 16, (Thomson, *Studies in the Odyssey*).—Oct. 23, *The True Gnostic* (review of Patrick, *Clement of Alexandria*, Tollington, *Clement of Alexandria: A Study in Christian Liberalism*).
- Zeitschrift für Romanische Philologie*—June, *Miscellen zur mittelalterlichen Lateinpoesie*, W. Creizenach.

AN INTERESTING TRIBUTE TO THE CLASSICS

In the course of his official duties the writer had occasion to address a communication to the alumni of Evanston Academy, in which among other things he asked their opinion as to the real value their sojourn in the School had been to them in practical ways. The replies were interesting and thought-provoking. One was of especial interest to us as teachers of the Classics, because of the unusual tribute paid to them from the standpoint of their use in bread-winning.

This reply was from a woman, who after some years of married life was thrown upon her own resources with three small sons and one baby daughter. Her health was broken, and she had heavy financial responsibilities. After taking careful account of stock she decided to devote herself to stenographic work. After only three months of study she secured a place in the office of a Judge at ten dollars a week. Soon, through the educational advantages enjoyed before her marriage, rather than because of mechanical ability as a typewriter, she enjoyed a salary of twenty-five dollars a week and commanded the entire confidence of the Judge and his coworkers. To-day she enjoys a very successful business as public stenographer, and is considered one of the best in her large home city. I quote from her letter.

Though I was very young when I entered the Academy, Latin and Greek were a passion with me—a living, vital interest—and I consider that the study of those languages had been of incalculable value to me, not only then, but all my life. The beauty of Greek, its delicacy and fineness have impressed me, always—and I consider a portion of my ability in handling the English language, professionally, and my really great success as a correspondent and bread-winner to be directly attributable to the study of the Classics. The discipline, the mental training, the being able to bring to bear upon the situation all my trained mental forces were all that saved me and my family from hopelessness. Excuse the fulness of these personal allusions, but I wish you to see the importance of that early training for such uses as I never dreamed of, in my sheltered and protected home and student life. So that, could I have foreseen the future, I could have made no better or more practical preparation than that which I have so utilized in bread-winning. For illustration, the other day I handled manuscripts, letters, legal forms, etc., for nineteen men in nineteen different lines of business. My classical training helps me to hold my end of the line, though these men were all experts, each in his own special business. There is not a day that instinctively the derivation, formation and so on of a word does not come to me fully and easily through my knowledge of Greek and Latin, which has so become incorporated into my English as to color the thought and the interpretation of that English to me. I cannot see how any other branch could be so generally and practically applied through everyday life as the fine, thorough study of the so-called 'dead languages', which nevertheless are alive in every desire we breathe, in every word we speak and in all our written language.

I consider this a rather remarkable tribute and I felt that I could do some service by passing it on, to be

read to classes and to those parents who appear from time to time with such strenuous objection to the Classics because they 'are not practical'. I am more and more convinced that no studies in our school curricula can do so much for the all-around mental development and the intellectual orientation of our pupils as these much maligned languages. Let us renew the fight in their behalf with an enthusiasm born of an absolute conviction that we are right in feeling that we are teaching the subjects which are the best and the most essential.

EVANSTON ACADEMY,
Evanston, Illinois.

NATHAN WILBUR HELM.

THE CLASS-ROOM AND THE TELEGRAPHIC NEWS

Apropos of the parallels between Caesar's campaigns and the present war drawn in *THE CLASSICAL WEEKLY* 8.42-43, 69-70, 73, 74, 89-90, it may be worth while to direct attention to a few telegraphic items and newspaper notices that contain points of interest for the student of Caesar.

To the pupil struggling over the description of the hedges of the Nervii (Caesar, B.G. 2.17), the following item which appeared in the telegraphic news for August 15, may seem reminiscent:

The Belgian cavalry repeatedly charged, but owing to the conformation of the country, which is intersected with hedges and hillocks, could attack only in small groups. The Germans again and again hurled themselves at the barricades, only to be shot down by the deadly Belgian fire.

Newspapers of the same date quote a letter taken from a German prisoner in which the following statement is made:

We made a mistake in attacking the enemy in such a strong position. The attack was being made across ground full of hedges.

Several terms which formerly the student rarely found outside his text of Caesar now appear in the telegraphic news. A message from Bordeaux, dated September 19, states that

Four hostages have been given daily to answer for the security of the German troops.

Again, in a letter by Will Irwin, the well known writer, who accompanied the German army over the greater part of Belgium, this statement is made:

One thought of the days of Julius Caesar, when he read on the walls of every town that Burgomeister So-and-So and Échevins This-and-That had been seized as hostages to answer with their lives for the good behavior of the populace.

A few references to paragraphs like the foregoing may occasionally enliven an hour in a Caesar class, as well as emphasize some point in the text.

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OLIVIA M. POUND.